

REMARKS

In response to the Non-final Office Action mailed June 12, 2008 (hereinafter "Office Action"), claims 1-9, 13, 16-19, 21, 31, 32, 35-37, 45, 49, 51, 53, 54, 56 and 59-62 have been amended solely to improve their form and consistency and not to overcome the prior art. Claim 63 is newly added. No claims have been cancelled. Support for the instant amendments is provided throughout the as-filed Specification. Thus, no new matter has been added. Therefore, claims 1-49 and 51-63 are pending.

In view of the following reasons, allowance of all the claims pending in the application is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1-13, 16-27, 30-34, 36-41, 43, 45-47, 49 and 51-62 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2004/0078424 to Yairi *et al.* ("Yairi"). Applicant disagrees with the propriety of this rejection. However, solely in an effort to expedite prosecution, Applicant has amended independent claims 1, 21, 36 and 45 solely to provide a clearer presentation of the claimed subject matter. The previously presented claims, as properly construed, are also believed to clearly distinguish over the prior art.

Independent claim 1 recites "a system for facilitating the exchange of data between one or more users and a web service via one or more instant messaging clients, comprising", among others, the features of generating web services command corresponding to a user command, sending the web services command to a web service to cause "transmission of information from the web service to at least one other user via a second instant messaging client." [Emphasis added]. The service command corresponds to the user command from a user of a first instant messaging client. In this manner, information from the web service, in response to the web service command, is transmitted to a user via a second instant messaging client. This is distinct from sending information back to the requesting user using the first instant messaging client.

Applicant submits that the cited portions of Yairi do not teach or suggest at least these features. In this regard, the Office Action alleges that "Yairi discloses receiving a human intervention request from a user at a web services proxy and thereafter forwarding messages received between the IM client and a human operator associated with the web service (Para. 0049)." [See Office Action, pg. 2]. However, in Yairi, a message sent from the human operator is sent only to the requestor user who requested such operator's intervention, but not to users other than the requestor. Yairi consistently discloses that a message generated by a web service based on a user request is sent back to the requestor user. [See Yairi, e.g., Abstract and Spec. [0010]]. As such, Yairi fails to teach or suggest transmitting information from the web service in response to a web service command to at least one other user via a second instant messaging client, as recited by claim 1.

The cited portions of Yairi appears to disclose that IM client software allows its user to communicate with other users. [See Yairi, Spec. [0038]]. However, the cited portions merely teach that a message may be sent from one IM client to other IM clients, but fail to teach or suggest sending information, corresponding to a web service command from a first user, to a second user via a IM client. In other words, this portion of Yairi relates to a standard IM client, not the invocation of web services via a IM client.

For *at least* the foregoing reasons, the rejection of independent claims 1 under 35 U.S.C. § 102(e) over Yairi is improper and should be withdrawn. Moreover, because independent claims 21, 36 and 45 recite similar patentable features as claim 1, claims 21, 36 and 45 are also patentable for at least the same reasons presented relative to claim 1. Dependent claims 2-13, 16-20, 22-27, 30-34, 37-41, 43, 46-47, 49, 51-62 are allowable because they depend from allowable independent claims 1, 21, 36 and 45, as well as for the additional features they recite.

Rejections under 35 U.S.C. § 103

Claims 14-15, 28-29, 35, 42, 44 and 48 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yairi in view of U.S. Patent Application Publication No. 2003/0105884 to Upton ("Upton"). Applicant disagrees with the propriety of these rejections for at least the reason that claims 14-15, 28-29, 35, 42, 44 and 48 are allowable because they

depend from allowable independent claims 1, 21, 36 and 45, as well as for the additional features they recite.

Further, Upton fails to cure the deficiencies of Yairi. For example, the Examiner relies upon Upton as allegedly teaching a web service associated with an enterprise or legacy system. However, Upton fails to teach transmitting information from the web service in response to a web service command to at least one other user via a second instant messaging client.

For *at least* the foregoing reasons, the rejection of dependents claims 14-15, 28-29, 35, 42, 44 and 48 under 35 U.S.C. § 103(a) over Yairi in view of Upton is improper and should be withdrawn. Various ones of these claims may include other separately patentable features, but because the vase rejection is deficient, these arguments need not be addressed at this time.

New claims

New claim 63 is allowable because they depend from allowable claim 9, as well as for the additional features it recites.

Conclusion


All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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